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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,905	05/18/2006	Bernard Bourges	007035.00012	8782
22908	7590	09/20/2007	EXAMINER	
BANNER & WITCOFF, LTD. TEN SOUTH WACKER DRIVE SUITE 3000 CHICAGO, IL 60606			GARCIA, ERNESTO	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/595,905	Applicant(s) BOURGES, BERNARD	
	Examiner Ernesto Garcia	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-28 is/are rejected.
- 7) ☒ Claim(s) 14-28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 May 2006 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/18/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

The listing of reference, FR 2483965 and AP-B-0716165, in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the examiner on form PTO-892 has cited the references, they have not been considered.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the axial translation device and the driving shaft connected to the axial translation device" (claim 14, line 4; claim 27, line 5; claim 28, line 7) must be shown or the features canceled from the claims. No new matter should be entered.

The drawings are objected to because the solid black shading for the seal (unreferenced on the left side adjacent to the driving shaft 1 in Figure 1) is not proper. See 37 CFR 1.84(m). Further, the ends of the broken line of the plane upon which

sectional view is taken, Figure 2, should be designated by Arabic or Roman numerals corresponding to the view number of the sectional view, Figure 1. See 37 CFR 1.84(h)(3) and MPEP 608.02(e). Further, several of the reference characters "J1", J3", "ØA- ØC", "ØE", "ØF", "ØG", and "ØK" are not properly oriented in Figure 1.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended". If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure. The language should avoid using phrases, which can be implied, such as, "The disclosure concerns", "The disclosure defined by this invention", "The disclosure describes", "Disclosed is", "The invention relates to" (line 1), "The invention is characterized in that" (line 9), etc. Accordingly, the abstract is objected.

Claim Objections

Claims 14, 16-19, 27, and 28 are objected to because of the following informalities:

regarding claims 14, 16-19, 27, and 28, the claims are objected to because they include reference characters, which are not enclosed within parentheses. Reference characters, H1, H2, H0, C, H3, ØG, H4, J1, J2, J4, corresponding to either the heights, diameters, or widths recited in the detailed description of the drawings and used in conjunction with the recitation of the same element or group of elements in the claims should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. See MPEP § 608.01(m);

regarding claim 14, "the ends" in line 1 should be --ends--, "moving" in line 2 should be --movable--, and a comma should be inserted after "forces" in line 3;

regarding claim 27, "the ends" in line 2 should be --ends--, "moving" in line 2 should be --movable--, a comma should be inserted after "forces" in line 3;

regarding claim 16, "in the form of" in line 3 should be --comprising--;

regarding claim 28, "the production" in line 2 should be --production, "the ends" in line 4 should be --ends--, "moving" in line 2 should be --movable--, and a comma should be inserted after "forces" in line 6. Appropriate correction is required. For purposes of examining the instant invention, the examiner has assumed these corrections have been made.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 14-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 14, 27, and 28, the recitation "a driving shaft" in claim 14, line 4, claim 27, line 5, and claim 28, line 7, and "driven shaft" in claim 14, line 6, claim 27, line 7, and claim 28, line 9, makes unclear whether these shafts are the same coaxial shafts recited in the preamble of the claims or different shafts as part of the system.

Regarding claims 14, 27, and 28, the recitation “elastic conducting means” in claim 14, lines 20-21, claim 27, line 22, and claim 28, line 24, lacks function and it is unclear what “elastic conducting” describes. Is the means for conducting elastic?

Regarding claims 15-26, the claims depend from claim 14 and therefore are indefinite.

Double Patenting

Claims 27 and 28 are objected to under 37 CFR 1.75 as being substantial duplicates of claim 14. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k). Applicants should note that in claim 27 there is nothing structurally different about the electrolytic aluminum production pot equipment since the pot equipment comprises the mechanical and electrical connection system identically claimed in claim 14. Accordingly, the pot equipment is actually the connection system or vice versa. Claim 27 merely provides for another label for the connection system. The same applies to the device in claim 28 since the device is actually the connection system or vice versa.

Allowable Subject Matter

Claims 14-26 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

The following is a statement of reasons for the indication of allowable subject matter:

regarding claim 14, the prior art of record does not disclose or suggest a mechanical and electrical connection system comprising a radial clearance provided between complementary surfaces of a second annular shoulder of generally cylindrical coupling and an annular groove of a driven shaft, in combination with a first annular shoulder with a surface having a shape complementary to an annular groove proximate to an axial extension of a driving shaft without clearance (claim 14, lines 8-15). The closest prior art, Pichon, FR-2,499,644, discloses, in Figure 4, no clearance provided between complementary surfaces of the second annular shoulder 15 and the annular groove 13 of the drive shaft 2. There is no motivation, absent applicant's own disclosure, to modify Pichon because the shoulders seat on the groove due to the spring 16 compressing the two halves of the coupling to each other and against the grooves. Further, Evans, 6,988,551, teaches in Figure 2, no clearance in either of the shafts; and,

regarding claims 15-26, these claims directly or indirectly depend from claim 14.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernesto Garcia whose telephone number is 571-272-7083. The examiner can normally be reached from 9:30AM-6:00PM. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached at 571-272-7087.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

E.G.

E.G.

September 14, 2007


ROBERT J. SANDY
PRIMARY EXAMINER